စာမျက်နှာ (၂)

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်
ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၆၀၉/ ၂၀၁၃ ၂၀၁၃ ခုနှစ်၊ ဩဂုတ်လ ၂၃ ရက်

ပြည်ထောင်စုသမ္မတ မြန်မာနိုင်ငံတော်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု ဥပဒေ ပုဒ်မ (၁၃)ပုဒ်မခွဲ(ခ) အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေးလိုက်သည် -

(က) ကမကထပြုသူ၏အမည် MR. CHEAH SAM KIP

(ခ) နိုင်ငံသား MALAYSIAN

(ဂ) နေရပ်လိပ်စာ NO.7, JALAN 35/70A, DESA SRI HARTAMAS, 50480 KUALA LUMPUR, MALAYSIA.

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ ETCM (MM) PTE .,LTD, BRUMBY CENTRE, LOT 42, JALAN MUHIBBAH, 87000 LABUAN F.T. MALAYSIA

(င) ဖွဲ့စည်းရာအရပ် MALAYSIA

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား မော်တော်ကားထုတ်လုပ်ရောင်းချခြင်းလုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) စက်မှုဇုန်နယ်မြေ၊ ပဲခူးတိုင်းဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်း ပမာဏ အမေရိကန်ဒေါ်လာ ၅၅၉.၇၀၈ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့်ရရှိပြီး (၃၀)နှစ်အတွင်း

(ည) စုစုပေါင်း မတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ၅၅၉.၇၀၈သန်းနှင့် ညီမျှသော မြန်မာကျပ်ငွေ

(ဋ) တည်ဆောက်မှုကာလ ၃ နှစ်

(ဌ) ရင်းနှီးမြှုပ်နှံခွင့်ပြုသည့် သက်တမ်း ၅၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ရာခိုင်နှုန်းပြည့်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် စီးပွားရေး အဖွဲ့အစည်းအမည် TAN CHONG MOTOR (MYANMAR) CO.,LTD.

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

Form (2)

Sr. No. 9549

Dated. 23-8-2013

THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

PERMIT

Permit No. 609/2013

Date 23, AUGUST 2013

The Myanmar Investment Commission issues this Permit under section 13(b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter MR. CHEAH SAM KIP

(b) Citizenship MALAYSIAN

(c) Address NO.7, JALAN 35/70A, DESA SRI HARTAMAS, 50480 KUALA LUMPUR, MALAYSIA

(d) Name and Address of principal Organization ETCM (MM) PTE.,LTD, BRUMBY CENTRE, LOT 42, JALAN MUHIBBAH, 87000 LABUAN F.T. MALAYSIA

(e) Place of incorporation MALAYSIA

(f) Type of business in which investment is to be made PRODUCTION AND MARKETING OF MOTOR VEHICLES

(g) Place(s) at which investment is permitted INDUSTRIAL AREA OF BAGO REGION

(h) Amount of foreign capital US$ 559.708 MILLION

(I) Period for bringing in foreign capital WITHIN (30) YEARS FROM THE DATE OF ISSUANCE OF MIC PERMIT

(j) Total amount of capital (Kyat) EQUIVALENT IN KYAT OF US$ 559.708 MILLION

(k) Construction period 3 YEARS

(l) Permitted duration of investment 50 YEARS

(m) Form of investment WHOLLY FOREIGN OWNED INVESTMENT

(n) Name of the economic organization to be formed in Myanmar TAN CHONG MOTOR (MYANMAR) CO.,LTD.

Win Thein

Chairman

The Myanmar Investment Commission

8/2018

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
Building No.(32), Nay Pyi Taw

Our ref : Ya Ka-1/Na-843/ 2013([illegible])
Date : 23 August 2013

Tel: 067- 406334, 406075
Fax: 95 - 67 - 406333

Subject : **Decision of the Myanmar Investment Commission on the Proposal for " Manufacturing and Marketing of Motor Vehicles" under the name of Tan Chong Motor (Myanmar) Co.,Ltd.**

Reference: Tan Chong Motor (Myanmar) Co.,Ltd.,Letter dated (24-6-2013)

1. The Myanmar Investment Commission, at its meeting (21/2013) held on (16-8-2013)had approved the proposal for investment in"Manufacturing and Marketing of Motor Vehicles " under the name of ETCM(MM) Pte.,Ltd. from Malaysia as a wholly foreign owned investment.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of the Republic of the Union of Myanmar Foreign Investment Law and Chapter VIII, Rule 48 of the Foreign Investment Rules relating to the said Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 50 (Fifty) years commencing from the date of signing of the land Lease Agreement and extendable for a further period of two terms of 10 (Ten) years period by mutual agreement between Bago Region Government and Tan Chong Motor (Myanmar) Co.,Ltd. At the end of the Lease Agreement for the land, to the lessee the shall transfer the leased land to the lessor within (3)three months. the lessee shall not be obligated to restore the leased land into its original state and condition and may return the leased land together with any existing buildings or structures erected thereon.

4. The annual rent for the land and building for first 10 years calculated at the rate of US$ 2.00 per square meter per year, for second 10 years calculated at the rate of US$ 2.50 per square meter per year and for third 10 years calculated at the rate of US$ 3.00 per square meter per year of the land measuring 202,343 square meters (50 acres).

5. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per section 27(a)(h)(i) and (k) of the Republic of the Union of Myanmar Foreign Investment Law. Other exemptions and reliefs under section 27 shall have to be applied upon the actual performance of the project;

(a) As per section-27(a), income tax exemption for a period of five consecutive years including the year of commencement on commercial operation;

(b) As per section-27(h), exemption or relief from customs duty or other internal taxes or both on machineries, equipments, instruments, machinery components, spare parts and materials used in the business which are imported as they are actually required for used during the period of construction of business;

(c) As per section-27(i), exemption or relief from customs duty or other internal taxes or both on raw materials imported for production for the first three-year after the completion of construction of business;

(d) As per section- 27(k), exemption of relief from commercial tax on the goods produced for export.

6. Tan Chong Motor (Myanmar) Co.,Ltd. shall have to sign the Land Lease Agreement with Bago Regional Government . After signing such Agreement, (5) copies shall have to be forwarded to the Commission.

7. Tan Chong Motor (Myanmar) Co.,Ltd. in consultation with the Department of Company Registration, Directorate of Investment and Company Administration shall have to be registered. After registration, (5) copies each of Certificate of Incorporation and Memorandum and Articles of Association shall have to be forwarded to the Commission.

8. Tan Chong Motor (Myanmar) Co.,Ltd. shall use its best efforts for timely realization of works stated in the Proposal. If none of such works has been commenced within one year from the date of issue of this "Permit" it shall become null and void.

9. Tan Chong Motor (Myanmar) Co.,Ltd. has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction works.

10. As per Chapter X, Rule 61 of the Foreign Investment Rules, extension of construction period shall not be granted more than one except it is due to unavoidable events such as natural disasters, instabilities, riots, strikes, emergency of State condition, insurgency and outbreak of wars.

11. As per Chapter X, Rule 63 of the Foreign Investment Rules, if Tan Chong Motor (Myanmar) Co.,Ltd. cannot construct completely in time the construction period or extension period, the Commission will have to terminate the permit issued to the investor and there is no refund for the expenses of the project.

12. The commercial date of operation shall be reported to the Commission.

13. Tan Chong Motor (Myanmar) Co.,Ltd. shall endeavour to meet the targets for production stated in the proposal as the minimum target.

14. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal and also in accordance with Chapter XI, section 24 and section 25 of the Republic of the Union of Myanmar Foreign Investment Law and the Tan Chong Motor (Myanmar) Co.,Ltd. has to follow the existing Labour Laws for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

15. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Republic of the Union of Myanmar Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rules 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under section-2(i) of the said Law, other than foreign currency.

16. Tan Chong Motor (Myanmar) Co.,Ltd. brings in foreign capital defined under section-2(i) of the said Law, other than foreign currency in the manner stated in paragraph 15(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

17. Tan Chong Motor (Myanmar) Co.,Ltd. has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI,

Rule 136 of the Foreign Investment Rules and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

18. Tan Chong Motor (Myanmar) Co.,Ltd. shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

19. Tan Chong Motor (Myanmar) Co.,Ltd. shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per comments made by Ministry of Environmental Conservation and Forestry in which to conduct Initial Environmental Examination (IEE) process and an Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted and to perform activities in accordance with this EMP and to abide by the environmental policy, Environmental Conservation Law and other environmental related rules and procedures.

20. Payment of principal and interest of the loan (if any) as well as payment for import of raw materials and spare parts etc., shall be made either out of the local sales in kyat currency and US$ or from export earnings of Tan Chong Motor (Myanmar) Co.,Ltd.

21. Tan Chong Motor (Myanmar) Co.,Ltd. in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

Win Shein

(Win Shein)
Chairman

Tan Chong Motor (Myanmar) Co.,Ltd.

2/22/8

cc: 1. Office of the Union Government of the Republic of the Union of Myanmar
2. Office of the Bago Region Government
3. Ministry of National Planning and Economic Development

4. Ministry of Finance
5. Ministry of Commerce
6. Ministry of Industry
7. Ministry of Foreign Affairs
8. Ministry of Home Affairs
9. Ministry of Immigration and Population
10. Ministry of Labour, Employment and Social Security
11. Ministry of Environmental Conservation and Forestry
12. Ministry of Electric Power
13. Chairman, CMP Enterprise Supervision Committee
14. Director General, Directorate of Investment and Company Administration
15. Director General, Directorate of Human Settlement and Housing Development
16. Director General, Directorate of Industrial Supervision and Inspection
17. Director General, Customs Department
18. Director General, Internal Revenue Department
19. Managing Director, Myanma Foreign Trade Bank
20. Managing Director, Myanma Investment and Commercial Bank
21. Managing Director, Myanma Insurance
22. Managing Director, Myanma Electric Power Enterprise
23. Director General, Directorate of Trade
24. Director General, Immigration and National Registration Department
25. Director General, Directorate of Labour
26. Director General, Department of Environmental Conservation
27. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)